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09/182,745	10/28/1998	CHRISTOPHER CLEMMETT MACLEOD BECK	P3316	2355

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EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 02/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/182,745

Applicant(s)

MACLEOD BECK ET AL.

Examiner

Cong-Lac Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. This action is responsive to communications: response filed on 11/12/02 to the application filed on 10/28/98.
2. Claims 1-20 are pending in the case. Claims 1, 6, 11, 16 are independent claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

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5. Claims 1-2, 6-7, 16-17 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood (US Pat No. 5,983,218, 11/9/99, referred as Syeda).

Regarding independent claim 16, Syeda discloses:

- accessing and rendering media from multimedia files in a data repository (col 3, lines 61 to col 4, lines 1-30; col 1, lines 11-48; col 2, lines 13-23: the multimedia database is designed so that user can access the data by posing a query via *interactive dialogue between the web client and multimedia database* to retrieve the desired data)
- limiting access to preselected media files (col 6, lines 48-57; col 7, lines 50-67: the search engine checks the consistency among the *retrieved* information to *eliminate duplicate information*, the duplicate information shows that the information is preselected and eliminating this information to limit access to the preselected files; the constraints and the generic rules also provide the conditions for restricting the file access to the databases)

Syeda does not disclose the code set for accessing and rendering media code from multimedia files in a data repository as well as software modules providing functionality for an Interactive Multimedia Application (IMA) and the *Interactive Multimedia Viewer* (IMV). However, Syeda can perform accessing and rendering media from multimedia files stored in a data repository and provides the *interactive dialogue for accessing and rendering multimedia data* (col 4, lines 4-30).

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It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Syeda to include the code set to perform said accessing and rendering and the Interactive Multimedia Viewer because of the following reason.

The ability of performing accessing and rendering of Syeda implies that Syeda includes the code set in the program for said accessing and rendering functions. The *interactive dialogue* in the user interface in Syeda is *for interactive purpose, accessing and rendering multimedia data*. Since Syeda discloses the above features, it implies that Syeda program includes related software modules as well as associated codes to perform the functions.

Further, Syeda does not disclose the *editable layer* which *allows the programmer to program limitations limiting access* by the IMV to preselected media files, editing of the editable layer of at least one IMV and joining of selected and edited modules to form the IMV.

However, Syeda discloses limiting access to the preselected media data as mentioned above by eliminating the duplicate information. Since Syeda can limit access to preselected media files, which is the feature of the editable layer as claimed, Syeda suggests the editable layer of the invention.

Further, Syeda discloses *manipulating* in some manner the multimedia data in the database as a method step for assembling an interactive multimedia application (col 5, lines 20-40; insert, delete, update media data). Again, eliminating the duplicate implies deleting the duplicate information, where deleting is one type of editing. Syeda, therefore, suggests the edit feature and the editing step. The fact that the information

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rendered to users *after eliminating* the duplicate or after updating data implies that joining of selected and edited modules is performed.

Regarding claim 17, which is dependent on claim 16, as in claim 16, Syeda does not disclose one or more software interfaces to the first selectable software modules.

Instead Syeda discloses a user interface for database site selection (col 4, lines 19-30).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Syeda to incorporate said software interfaces since the fact that Syeda provides an interactive dialogue, which is an interface, for selecting database, implies that the associated software and modules should be included.

Independent claim 1 is an object-oriented programming interface to perform the method of claim 16, and is rejected under the same rationale.

Claim 2, which is dependent on claim 1, is software module comprising one software interface to perform the method of claim 17, and is rejected under the same rationale.

Independent claim 6 is a programming application to perform the method disclosed in claim 16, and is rejected under the same rationale.

Claim 7, which is dependent on claim 6, is a programming application to perform the method of claim 17, and therefore is rejected under the same rationale.

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6. Claims 3-5, 8-15, 18-20 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Syeda-Mahmood as applied to claim 16 above, and further in view of Goetz et al. (US Pat No. 5,956,729, 9/21/99).

Regarding claim 18, which is dependent on claim 16, Syeda does not disclose that the IMV is adapted to access and render multimedia code of only one type. Goetz discloses that an application may support several instances of a particular media type (col 3, lines 2-11).

Even though Goetz fails to mention of the code for accessing and rendering of multimedia files, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included Goetz to Syeda. The fact that Goetz shows the supporting of several instances of a particular media type implies that Goetz includes that type of code to perform such function.

Regarding claim 19, which is dependent on claim 16, Syeda does not disclose that the IMV is adapted to access and render multimedia code of more than one type.

Goetz discloses that the invention includes a multimedia file for organizing at least one type of media on a computer-readable medium, such as a CD Rom, hard disk, or the like. The multimedia file is capable of storing and identifying multiple instances of at least one media type (col 3, lines 18-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Goetz to Syeda since Goetz further provides the access

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and rendering a multimedia file of at least one type, which means one type or more than one type of media.

Regarding claim 20, which is dependent on claim 16, Syeda does not disclose that the multimedia files stored in the data repository represent multimedia transactions, and are characterized with tags *according to one or more of* date, time, participants, file type; company affiliation of participants, subject or issue, and relationship to other multimedia files.

Goetz discloses:

- multimedia files stored in the data repository represent multimedia transactions (col 11, lines 21-38)
- file type of a multimedia file (col 11, lines 26-38)

Goetz does not explicitly disclose the tags that characterize multimedia files as claimed. However, the MIME type in Goetz using to *specify the type* of a multimedia file. This shows that the MIME extension included in the URL, as a tag, *characterizes the type* of the multimedia file.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Goetz to Syeda to obtain details of multimedia files stored in the repository wherein the multimedia files include multimedia transactions, have tags for representation of information according one or more of date, time, participant, file type, etc, in addition to the feature of accessing, rendering, and editing multimedia files as mentioned above.



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Claims 3-5 are IMV software modules to perform the method of claims 18-20, and are rejected under the same rationale.

Claims 8-10 is a programming application to perform the method of claims 18-20, and are rejected under the same rationale.

Independent claim 11 is for a multimedia communication center which includes the limitations of claim 6, the storage system for recording multimedia file (rejected in claim 20), and the access interface (Syeda, col 4, lines 19-30), therefore is rejected under the same rationale applied to these claims.

Claim 12, which is dependent on claim 11, comprising software interfaces disclosed and rejected in claim 17 above, and is rejected under the same rationale.

Claims 13-15 is a multimedia communication center including the IMV disclosed in the method of claims 18-20, and therefore are rejected under the same rationale.

### ***Response to Arguments***

7. Applicant's arguments filed 11/12/02 have been fully considered but they are not persuasive.

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Regarding independent claim 16, Applicants argue Syeda does not teach a method for assembling an Interactive Multimedia Application (IMA) (Remarks, pages 7-8) but instead Syeda teaches an application for accessing a database.

Examiner respectfully disagrees.

Syeda teaches an application for accessing a database and also teaches assembling an interactive multimedia application which interfaces with a database (col 5, line 20 to col 6, lines 1-42: "... the database sites categorized based on the query type at the earlier level will be further grouped based on scope relevancy data for handling image. Specifically, techniques in image-based query similarity detection are combined with statistical techniques used in text-based resource discovery systems so that indexing based on query image content yields a ranked list of database sites. This scheme allows several methods of *representation of the database sites at the second level including multimedia icons and prototypical models of objects*. Using this approach, the Web server will **assemble** the meta-database as follows. Given a set of databases at web sites, an initial *meta-database is constructed from structured query templates returned by the individual databases*. These templates can be periodically updated by the databases and relayed to the web server for updation of the meta-database. The initial categorization of databases in the meta-databases is used to direct queries to relevant sites. **A record of responses returned and the associated queries** are used by the refining module to periodically cluster the query data patterns (*could be 2d*

*textures, 2d objects, video segments*) into salient groups based on content similarity, and to update the possible relevance of databases...”).

Still regarding claim 16, Applicants argue that Syeda does not disclose creating a custom application for accessing a database (Remarks, page 8).

Examiner respectfully disagrees.

As mentioned above, Syeda discloses returning responses to the queries where the data in the responses is from the database sites relevant to the queries. The multimedia applications of the responses returned from the queries are customized since they are generated based on the user desires via the queries (col 6, line 60 to col 7, lines 1-5).

Still regarding claim 16, Applicants argue that Syeda does not disclose restricting access to files but instead discloses eliminating files that have been accessed and retrieved (Syeda, col 6, lines 52-55 and col 7, lines 61-64).

Examiner respectfully disagrees.

Eliminating the duplicate files limits the file access to only one of the two identical files.

There is nothing certain that said files initially have been accessed and retrieved.

Eliminating the duplicate files in Syeda somehow discloses restricting the file access.

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Furthermore, Syeda also discloses the semantic consistency **constrains** among component multimedia databases (col 6, lines 48-56) and a **set of generic rules** for refining the site relevancy of query-data patterns extracted from web database sites (col 7, lines 33-53). The constrains and the generic rules, which provide the conditions for accessing files, therefore restrict the access to files.

Apparatus claim 1 recites substantially the limitations of claim 16, and therefore remains rejected.

Claims 2-5 remain rejected as being dependent on the independent claim 1 which rejected as above.

Claim 6 recites a programming application for creating an interactive media application in accordance with embodiments of the present invention as claimed in claims 1 and 11, which remain rejected. Claim 6 and its dependent claims 7-10, therefore, remain rejected.

### **Conclusion**

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh

2/19/03

  
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